

Support to People Involved

Employers have a duty of care to their employees, and they should act to manage and minimise the stress of the allegations process.

Supporting the employee is key to fulfilling this duty; it is helpful to nominate a named person to provide independent support. This includes keeping the subject informed, as agreed with the LADO. Most people return to the workplace following investigation.

There may be steps that need to be put into place to support this, such as advice, training alternative duties or additional supervision.

However, if the allegations are founded then it may be that the person is deemed unsuitable to work with children, they may be dismissed by their employer.

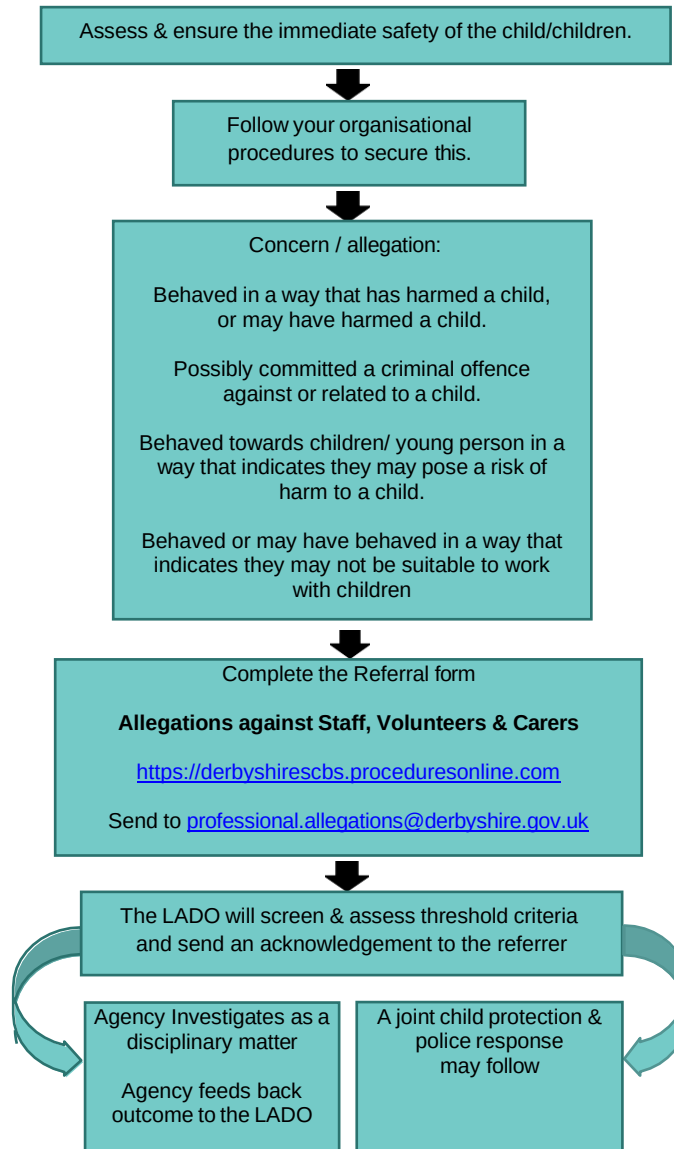
If dismissal is the outcome, or the employee resigns, or their services are no longer being used, the person must be referred to the Disclosure and Barring Service by the employer for consideration for inclusion to the barred lists. See [DBS](#)

They must also be referred to any professional body. Compromise agreements are never acceptable as a means of dealing with an issue.

Even if there is no complainant or the person wishes not to take the matter further the employer must still report the matter to the LADO.

The employer/agency MUST inform the LADO of the actions taken by them as soon as possible, even if the LADO is no longer involved.

LADO Procedure Flowchart



Managing allegations against adults working with children



This information leaflet is a brief guide about the framework for managing allegations of abuse made against a person who works with children in a paid or unpaid capacity. It should be followed by all organisations providing services for children and staff, carers or volunteers who work or care for children.

Introduction

The LADO procedures should be followed by all organisations providing services for children and staff, carers or volunteers who work with or care for children. Common sense and judgement should be applied when dealing with allegations.

Full details of the local arrangement about managing allegations are set out in the Derby and Derbyshire Safeguarding Children procedures, located at: www.ddscp.org.uk

Every Local Authority has a statutory responsibility to have a Local Authority Designated Officer (LADO) who is responsible for coordinating the response to concerns that an adult who works with children may have caused them harm.

The information in this leaflet will help you to determine if you should refer your concerns to the LADO.

Note: If it is an extremely serious allegation (i.e. current injury, risk of losing forensic evidence, imminent danger to child/public/staff, crime ongoing etc.) first contact the Police and then the LADO.

The LADO's key role is to:

- Provide advice/guidance to employers or voluntary organisations.
- Liaise with the police and other agencies including OFSTED, CQC and professional bodies such as the GMC, NMC and the GTC
- Monitor the progress of referrals to ensure they are dealt with as quickly and consistently as possible with a thorough and fair process.
- Seek to resolve any inter-agency issues.
- Collect strategic data and maintain a confidential database in relation to allegations which is held securely.
- Disseminate learning from LADO enquiries throughout the children's workforce.

Decisions regarding any internal action about an employee are usually made in conjunction with the employers HR department and are not determined by the LADO.

What is an allegation?

Where it is alleged or there are concerns that a person who works with children has, in connection with his/her employment or voluntary activity:

- Behaved in a way that has harmed a child, or may have harmed a child
- Possibly committed a criminal offence against or related to a child
- Behaved towards a child or children in a way that indicates they may pose a risk of harm to children
- Behaved or may have behaved in a way that indicates they may not be suitable to work with children.

Note: All agencies must have mechanisms to identify patterns, complaints or concerns raised about a member of staff, which taken together raise suspicions of harm.

The information to provide to the LADO

- You should provide a clear account of the allegations
- Provide the persons details, (and family details if known)
- The child's details
- Whether the police have been informed and any crime reference number.

Complete the form and send with as much detail as possible to: professional.allegations@derbyshire.gov.uk

If you have concerns about an employee or volunteer that may need to be addressed under these procedures, you **must** refer to the Local Authority Designated Person (LADO) **within 24 hours**.

The LADO will be able to consider:

- If a referral to Children's Social Care is required in respect of concerns about any children
- If a crime has been committed and this requires a referral to the police
- If there needs to be any immediate disciplinary action (the employer should also discuss this with their HR Department)

The LADO will advise what the person should be told. Employers should not inform employees about the allegation before they have consulted with the LADO; in some cases, the employee may only be informed after other agencies have been consulted.

The next steps

The LADO will review your referral / enquiry and will make contact with you to discuss the likely outcome. This could be:

- No further action- threshold is not met nor is there evidence it is a safeguarding issue
- Internal investigation by employer, the outcome of this may then determine that threshold is met for a strategy meeting.
- Multi agency allegation management meeting to take place, threshold for safeguarding is met and formal information sharing should take place to plan and agree action.

The LADO cannot make any decision to suspend an employee. The decision to take such action rests with the employer although the LADO may offer advice depending on the nature and seriousness of the allegations presented.

The LADO will coordinate and monitor any onward actions following the review to ensure delay is minimised.

The LADO will ensure the process is fair and balanced.